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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,053	07/05/2000	Sunny Behl	033129-009	4718

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/610,053

Applicant(s)

BEHL, SUNNY

Examiner

Bob Chevalier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,8,10,12,14 and 15 is/are rejected.
- 7) ☒ Claim(s) 2, 4, 6-7, 9, 11, 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 6, 8 . 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, and 10, are rejected under 35 U.S.C. 102(e) as being anticipated by Trane.

Trane discloses a television recorder that shows all the limitations recited in claim 1, including the feature of the television recorder being connected to a television and television broadcast source for recording television programming (See Trane's page 1, second column, lines 13-18), the feature of the memory storage device bay (See Trane's Figure 1, component 14), the feature of the carrier removeably engages the rack to insert the carrier into the television recorder and to electronically couple the hard disk drive with the television recorder as specified in the present claim 1. (See Trane's Figure 1, components 14, 26, and 12).

With regard to claim 10, the feature of the television monitor recited thereof is noted to be inherently present in the cited reference of Trane. Because, Trane discloses the capability of recording programming received from a television broadcast. Therefore, a television monitor would necessarily be connected to the recorder in order to be able to receive said television programming.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 5, 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Trane in view of Wu.

Trane discloses a television recorder that shows substantially the same limitations recited in claims 3, 12, including the feature of the hard disk drive mounted in the carrier as specified in the present claims 3, 12. (See Trane's Figure 1, components 14, and 12).

Trane fails to specifically disclose the feature of the carrier including a top cover, a vent, the top cover covers a tray to enclose the hard disk drive, a face defining the vent to enable air to enter the carrier as specified in the present claims 3, 12.

It is noted that Wu does disclose a hard disk drive which includes the feature of the top cover, the vent, the top cover covers a tray to enclose the hard disk drive, a face defining the vent to enable air to enter the carrier as specified in the present claims 3, 12. (See Wu's Figures 1, and 4, where it is shown a hard disk drive including the feature of the top cover and the vent as claimed).

It would have been obvious to one skilled in the art to modify the Trane's apparatus wherein the hard disk drive provided thereof would incorporate the feature of the top cover and the vent which would enable air to enter the carrier in the same

conventional manner as is shown in Wu. The motivation is to prevent the hard disk from being removed when it is in a locked position and to prevent the hard disk drive from being overheated during operation as suggested by Wu.

With regard to claims 5, and 8, it is noted that all the limitations recited thereof are disclosed in the proposed combination of Trane and Wu indicated above, including the feature of the rack having a first lateral rail, a second lateral rail and a backplane with data connector, the backplane attaches to lateral rails (See Trane's Figure 1, components 14, 26, and 28, furthermore, see Wu's Figure 4, components 31, 22 and 32), and the feature of the vent for bringing air into the carrier to cool the hard disk drive. (See these holes or vents shown in Wu's Figure 4).

5. Claim 15, is rejected under 35 U.S.C. 103(a) as being unpatentable over Trane in view of Official Notice.

Trane discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 15, including the feature of recording selected television broadcast signals into a recording medium as specified in the present claim 15. (See Trane's Figure 1).

Trane fails to specifically disclose the feature of MPEG coding the received television signal and decoding the MPEG stream and selectively provides output to the TV.

Examiner takes Official Notice in that it is notoriously well known in the video recording art to MPEG coding received television signals and recording the same on a

recording medium and decoding the recorded MPEG stream signals to output the same to a TV as specified in the present claim 15.

It would have been obvious to one skilled in the art to modify the Trane's video recording/reproducing device wherein the recording/reproducing means provided thereof would incorporate the capability of MPEG coding received television signals and recording the same on a recording medium and decoding the recorded MPEG stream signals to output the same to a TV in the same conventional manner as is notoriously well known in the video recording art. Examiner has taken Official Notice. The motivation being to increase the recording density as suggested in the prior art.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trane in view of Berkheimer et al.

Trane discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 14, including the feature of the hard disk drive specified in the present claim 14. (See Trane et al's Figure 1).

Trane fails to specifically disclose the feature of the tape slot for receiving a VCR tape to archive TV programming as specified in the present claim 14.

Berkheimer et al discloses dual deck multimedia device, which includes a hard disk drive and a tape slot for receiving a VCR tape to archive TV programming as specified in the present claim 14. (See Berkheimer et al's Figure 1).

It would have been obvious to one skilled in the art to modify the Trane's recorder wherein the recording/reproducing means provided thereof (See Trane's Figure 1) would further incorporate the capability of a tape slot for receiving a VCR tape

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to archive TV programming as specified in the same conventional manner as shown by Berkheimer et al. The motivation being to be able to perform dubbing at any desired time as suggested by Berkheimer et al.

7. Claims 2, 4, 6-7, 9, 11, 13, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.


ROBERT CHEVALIER
PRIMARY EXAMINER

B. Chevalier
December 24, 2003.